

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STEVEN A. SCHAUPP and OPAL
SCHAUPP, Husband and Wife, and
CONTINENTAL WESTERN
INSURANCE COMPANY,

Plaintiffs,

V.

CELSTAR GROUP, INC., a Foreign Corporation, and CONSOLIDATED FLEET SERVICES, INC., a Foreign Corporation,

Defendants.

7:05CV5019

MEMORANDUM AND ORDER

A Motion to Dismiss filed by Celstar Group, Inc. (“Celstar”) is pending. (Filing 10.) It seeks dismissal under Fed. R. Civ. P. 12(b)(2) for lack of personal jurisdiction. Plaintiffs have filed a motion seeking leave to conduct jurisdictional discovery and an extension of time to respond to Celstar’s motion to dismiss. (Filing 12.) Counsel for Celstar has orally advised the court that it has no objection to Plaintiffs’ motion.

I will grant the motion for leave to conduct jurisdictional discovery and will extend the time for Plaintiffs to respond to the pending motion to dismiss

IT IS ORDERED:

1. The motion in filing 12 is granted, and the parties are granted leave to conduct jurisdictional discovery, to be completed on or before January 31, 2006;

2. Plaintiff shall have until February 13, 2006 to submit a brief and evidence opposing Celstar's motion to dismiss (filing 10);
3. Celstar shall have 5 days from the submission of Plaintiff's responsive brief to submit a reply brief; and
4. The Clerk of the Court shall make an entry in the court's computer-assisted record-keeping system reflecting that the motion in filing 10 shall be ripe for decision on February 21, 2006.

October 26, 2005.

BY THE COURT:

s/Richard G. Kopf
United States District Judge